

Amendment No. 7 to SB3768

**Norris
Signature of Sponsor**

AMEND Senate Bill No. 3768

House Bill No. 3835*

by inserting the following after other amendments between Sections 64 and 65 of the printed bill.

SECTION __. Public Defender Offices in Davidson and Shelby Counties.

Item 1. From the appropriation for state employees 2.5 percent salary increase in Section 1, Title III-22, Item 13, the sum of \$92,300 is earmarked for the public defenders offices in Davidson County and Shelby County, to be allocated as follows:

- (a) Davidson County, \$31,300; and
- (b) Shelby County, \$61,000.

The amounts earmarked above are determined on the following basis:

The 2.5 percent salary policy adjustment for the district public defenders, which excludes employees on a statutory pay plan, is an amount equal to 1.95 percent of the base recommended state appropriation for district public defenders; and the amounts earmarked above for Davidson and Shelby counties are equal to 1.95 percent of the base recommended state appropriations for the public defenders offices in Davidson County and Shelby County.

Item 2. The commissioner of finance and administration is directed to study issues pertaining to implementation of the provisions of Tennessee Code Annotated, Section 8-14-210, relative to budget increases for the public defender offices in Davidson and Shelby counties. No later than the day after transmittal of the next budget document to the general assembly, a report of findings and recommendations shall be transmitted by the commissioner to the speakers of

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the senate and house of representatives; the chairs of the finance, ways and means committees; the majority and minority leaders of both houses; and the director of the office of legislative budget analysis.

The commissioner shall examine the meaning of the language "the state shall pay to the county or metropolitan government an amount equal to the percentage of any general increases in appropriations for district public defenders;" the manner in which such increase has been calculated; whether a base budget adjustment is recommended in consideration of the meaning of § 8-14-210 or for other reasons; other associated matters that the commissioner deems appropriate; and recommendations for clarifying the language of § 8-14-210. Clarification of §8-14-210 may include alternative means of providing for budget adjustments.

If the commissioner finds in the study that a base budget adjustment should be made or that §8-14-210 should be clarified or changed for future budget adjustments, it is the legislative intent that the 2013-2014 budget document transmitted by the governor to the general assembly include the recommended appropriation increase and that the governor's budget legislation include any recommended change in law.